

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRES GARCIA-LANDERO,

Defendant.

Case No. 25-cr-30060-SPM

MEMORANDUM AND ORDER

McGLYNN, District Judge:

On April 22, 2025, a grand jury indicted Defendant Andres Garcia-Landero on one Count of Illegal Reentry after Deportation in violation of 8 U.S.C. § 1326(a). (Doc. 13). On July 2, 2025, Defendant Garcia filed a Motion to Dismiss with Prejudice, arguing that pursuant to the Speedy Trial Act, dismissal of his case with prejudice is warranted. (Doc. 21), *see* 18 U.S.C. § 3162(a). On July 16, 2025, the Government filed its Sealed Response to the Motion. (Doc. 22). The Government concedes that the Speedy Trial Act had been violated with respect to Garcia-Landero's case, but argued that dismissal without prejudice was warranted. (*See id.*).

Having been fully informed of the issues presented, and in accordance with the reasons set forth in this Court's Sealed Order entered on July 18, 2025 (Doc. 23), Defendant Andres Garcia-Landero's Motion to Dismiss with Prejudice (Doc. 21) is **GRANTED in part** and **DENIED in part**. Garcia-Landero's Motion is **GRANTED** with respect to finding that the Speedy Trial Act has been violated, warranting dismissal of this case, but **DENIED** with respect to his request that the Indictment

(Doc. 13) be dismissed with prejudice. Accordingly, the Indictment charging Garcia-Landero with one Count of Illegal Reentry After Deportation (Doc. 13) is **DISMISSED without prejudice.**

IT IS SO ORDERED.

DATED: July 18, 2025

s/ Stephen P. McGlynn
STEPHEN P. McGLYNN
U.S. District Judge